

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jul 19, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOSE MENDOZA, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

GUNDERSON RAIL SERVICES,  
LLC, an Oregon limited liability  
company,

Defendant.

NO: 4:24-CV-5067-TOR

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

BEFORE THE COURT is the parties' Stipulated Motion to Dismiss. ECF  
No. 10. Plaintiff agrees to dismiss this lawsuit without prejudice as to Plaintiff's  
claims and without prejudice as to the claims of the putative class or class  
members. Plaintiff and Defendant agree that no party shall be deemed a prevailing  
party and no party shall be awarded fees or costs. The Court has reviewed the  
record and files herein and is fully informed.

ORDER OF DISMISSAL WITHOUT PREJUDICE ~ 1

1 According to Rule 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing  
2 a stipulation signed by all parties who have appeared.

3 **ACCORDINGLY, IT IS HEREBY ORDERED:**

4 1. The parties' Stipulated Motion to Dismiss, ECF No. 10, is **GRANTED**.

5 2. Pursuant to the parties' stipulation, this action is **DISMISSED** without  
6 prejudice and without fees or costs to any party.

7 The District Court Executive is directed to enter this Order and Judgment of  
8 Dismissal, furnish copies to counsel, and **CLOSE** the file.

9 DATED July 19, 2024.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
United States District Judge